



# Citizen Participation Plan

2022 CDBG-DR

May 2022 Tornadoes and Flooding (Pub. L. 117-180)

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# 1 Citizen Participation Plan

The Oklahoma Department of Commerce Community Development Division (ODOC) administers Community Development Block Grant Disaster Recovery (CDBG-DR) funds allocated to Oklahoma by the U.S. Department of Housing and Urban Development (HUD). As part of the administration of CDBG-DR funds, ODOC is required to comply with HUD's citizen participation requirements outlined in each Federal Register notice.

## 1.1 HUD's Federal Register Notice Requirements

Public Law 117-180 appropriated CDBG-DR funds to address disaster relief and long-term recovery from disasters occurring in 2022. Under HUD's Federal Register notice 88 FR 32046 (May 18, 2023), a total of \$7,473,000 was allocated to the state for long-term recovery efforts in response to the impacts of the May 2022 Tornadoes and Flooding (DR-4657 and DR-4670), which had an incident period of May 2-8, 2022, and Presidential disaster declaration dates of June 29, 2022, and September 20, 2022, respectively.

In order to ensure disaster recovery grants are awarded in a timely manner, HUD has waived the provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.105(b) through (d), and 24 CFR 91.115(b) through (d), with respect to citizen participation requirements, and is instead requiring grantees to follow the provisions in section III.D. of 88 FR 32046 (May 18, 2023) as well as those of 24 CFR 91.115 or 91.105.

In accordance with updated HUD guidelines, ODOC will field public comments for a period of 30 days to provide a reasonable opportunity for citizen participation. Additionally, ODOC will convene one virtual public hearing on the proposed Action Plan after it has been published on its website to solicit public comment before submission of the Action Plan to HUD.

Each local government receiving assistance from ODOC must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486.

## 1.2 Contact Information

To access the most current version of the 2022 CDBG-DR CPP, please visit the State's disaster recovery website. On occasion, the State makes necessary modifications to the CPP to ensure compliance with ODOC policies and federal requirements.

This plan includes ODOC's policies and requirements for 2022 CDBG-DR public comment periods, public hearings, access for those with limited English proficiency and disabilities, website maintenance, and citizen complaints.

For any questions, public comments, assistance for disability accommodations, or interpretation services, please contact ODOC using the following methods:

Phone	405-815-6552 (toll-free 1-800-879-6552)
Mail	Oklahoma Department of Commerce ATTN: Disaster Recovery 900 N. Stiles Ave. Oklahoma City, OK 73104

Email	<a href="mailto:disasterrecovery@okcommerce.gov">disasterrecovery@okcommerce.gov</a>
Contact Us Form	Citizens can submit questions, comments, and complaints, or check the status of their application by filling out a "Contact Us" form at the bottom of the website.
Interpretation Services	Call 405-946-1624, please mention ODOC as the agency the translation or interpretation is for.

Citizens and other interested parties can remain up to date on ODOC's Disaster Recovery activities by joining the CDBG-DR email list and following the agency on social media.

### 1.3 Requirement for Consultation

While developing the Action Plan, ODOC was required to consult with Indian tribes, local governments, Federal partners, nongovernmental organizations, the private sector, and other stakeholders and affected parties in the surrounding geographic area, including organizations that advocate on behalf of members of protected classes, vulnerable populations, and underserved communities impacted by the disaster, to ensure consistency of the action plan with applicable regional redevelopment plans.

ODOC also consulted with other relevant government agencies, including state and local emergency management agencies that have primary responsibility for the administration of FEMA funds, if applicable.

In the development of the action plan, ODOC met this requirement in two ways. First, ODOC surveyed communities, organizations, tribal authorities, and citizens to better understand the remaining unmet needs and recovery areas. There were two surveys generated, one for community organizations and one for residents. The surveys were published on ODOC's website and were shared on the Department of Commerce's social media accounts in June 2023. The surveys were discussed at disaster recovery meetings and sector calls. In addition, the surveys were shared with communities directly.

To gather feedback from groups that are less likely to participate in the survey process, ODOC took the following steps. The surveys were emailed directly to representatives of the organizations and government agencies, who were encouraged to share them with individuals impacted by the disaster. These organizations often work directly with community members and survivors of the disaster, and thus are more familiar with the impacted areas and individuals. ODOC posted the surveys on social media, and ODOC employees added a link to the surveys in their email signatures. The surveys were also shared via GovDelivery to those who signed up for email updates on CDBG programs with the Department of Commerce. Last, ODOC staff shared the surveys with anyone asking about 2022 CDBG-DR assistance.

Second, ODOC directly contacted over 100 individuals at community organizations, local governments, and tribal nations via email to solicit data on disaster unmet needs.

ODOC also met directly with and established open lines of communication with major stakeholders, including the Muscogee (Creek) Nation, the Oklahoma Department of Emergency

Management, the Oklahoma Housing Finance Agency, and Catholic Charities. ODOC continues to meet with interested stakeholders.

## 1.4 Publication of the Action Plan and Opportunity for Public Comment

Following the creation of the action plan or substantial amendment in DRGR and before ODOC submits the action plan or substantial amendment to HUD, ODOC will publish the proposed plan or amendment for public comment. The comment period will last for a minimum of thirty (30) days.

ODOC will prominently post the Action Plan or Substantial Amendment on ODOC's CDBG-DR 2022 website (<https://www.okcommerce.gov/cdbg-disaster-recovery-2022/>) and must afford citizens, affected local governments, and other interested parties a reasonable opportunity to review the plan or substantial amendment.

The topic of disaster recovery on ODOC's website is navigable by all interested parties from the ODOC homepage. The homepage contains a link to the disaster recovery website.

ODOC will notify affected citizens of the publication of the plan and the public comment period through electronic mailings (GovDelivery), press releases, social media, and direct outreach. Other methods of notification will be documented if determined to be necessary. To ensure that those with limited English proficiency will have equitable participation, the proposed Action Plan and all amendments will be posted in Spanish. Other languages will be available upon request.

Citizens and other interested parties may submit public comments in a variety of methods and formats. Public comments on the Action Plan or substantial amendment can be submitted via email, mail, phone, or at a public hearing on the plan or amendment.

## 1.5 Public Hearings

ODOC will convene at least one virtual public hearing on the proposed action plan after it has been published on its website before the submittal of the action plan to HUD to solicit public comment. ODOC will provide reasonable notice of all public hearings at least fourteen (14) days before the hearing. ODOC will provide timely responses to all citizen questions and issues, and public access to all questions and responses.

If ODOC holds more than one public hearing, it will hold each hearing in a different location within the MID area in locations that ODOC determines will promote geographic balance and maximum accessibility. ODOC may convene public hearings virtually.

### 1.5.1 LEP Access

ODOC will provide meaningful access for individuals with limited English proficiency (LEP) at both in-person and virtual hearings. In the case of virtual and in-person public hearings where a significant number of non-English speaking residents can be reasonably expected to participate, ODOC will meet the needs of LEP populations by hiring interpreters for the meeting, to provide live interpretation and translation. ODOC currently has staff that are fluent in Spanish, and who can provide Spanish interpretation and translation at public hearings as needed. At a minimum, one staff member who speaks Spanish will be present at all public hearings.

### **1.5.2 Access for Persons with Disabilities**

All in-person hearings must be held in facilities that are physically accessible to persons with disabilities. HUD's implementing regulations for section 504 of the Rehabilitation Act (24 CFR part 8, subpart C) provide that where physical accessibility is not achievable, ODOC must give priority to alternative methods of product or information delivery that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate. When conducting a virtual hearing, ODOC will allow questions in real-time, with answers coming directly from ODOC's representatives to all "attendees."

For both virtual and in-person hearings, hearings will be held at times and locations convenient to potential and actual beneficiaries, with accommodation for persons with disabilities and appropriate auxiliary aids and services to ensure effective communication. ODOC will turn on closed captions for virtual hearings and provide opportunities for citizens to request interpretation services before the hearing. Upon request, ODOC will offer sign language interpretation, closed captioning for virtual meetings, and accessible documents that be read by screen readers. Requests for assistance can be made by contacting ODOC staff.

See 24 CFR 8.6 for HUD's regulations about effective communication.

## **1.6 Barriers to Equitable Participation**

ODOC shall consider if there are potential barriers that may limit or prohibit vulnerable populations or underserved communities and individuals affected by the disaster from providing public comment on ODOC's action plan or substantial amendment. If ODOC identifies barriers that may limit or prohibit equitable participation, ODOC will take reasonable measures to increase coordination, communication, affirmative marketing, targeted outreach, and engagement with underserved communities and individuals, including persons with disabilities and persons with LEP.

ODOC is currently taking several steps to ensure equitable access for persons with disabilities and those who speak limited English. Those steps are described throughout this document. In circumstances where other vulnerable or historically underserved populations may be impacted (positively or negatively) by the 2022 CDBG-DR Action Plan or substantial amendment, ODOC will take additional steps to ensure that those communities are aware of the opportunity for public input and engagement. These steps can include additional marketing and notification, targeted outreach, and creative engagement with community organizations and leaders.

## **1.7 Consideration of Public Comments**

ODOC will receive public comments on the action plan or substantial amendment for no less than 30 days. Citizens and other interested parties may submit public comments in a variety of methods and formats. Public comments on the Action Plan or substantial amendment can be submitted via email, mail, phone, or at a public hearing on the plan or amendment.

ODOC will consider all oral and written comments on the action plan or any substantial amendment. Any updates or changes made to the action plan in response to public comments will be clearly identified in the action plan. A summary of comments on the plan or amendment, and ODOC's response to each, will be included with the action plan or substantial amendment.

ODOC's responses will address the substance of the comment rather than merely acknowledge that the comment was received.

## 1.8 Availability and Accessibility of Documents

ODOC will make the action plan, any substantial amendments, vital documents, and all performance reports available to the public on its website. ODOC will follow Section 1.9 Website Maintenance to ensure all required documentation is available on the 2022 CDBG-DR website.

### 1.8.1 LEP Access

ODOC is committed to providing access to all its programs for Limited English proficient speakers. ODOC and its subrecipients will translate vital documents into Spanish for CDBG-DR programs that occur in market areas that exceed 1,000 LEP individuals (to include the upper band of the margin of error) or 5% LEP in that language group. The cost incurred by the State or its subrecipients to translate vital documents into Spanish is both reasonable and necessary. For the 2022 CDBG-DR program, activities occurring in Tulsa County will require the translation of vital documents into Spanish.

Upon request, ODOC and its subrecipients will translate vital documents into Vietnamese. The cost incurred by the State or its subrecipients to translate vital documents larger than 2 pages into Vietnamese is neither reasonable nor necessary. Therefore, ODOC and its subrecipients will utilize oral translation and interpretation services, provided through Language Associates, to assist LEP Vietnamese speakers. For the 2022 CDBG-DR program, no activities will require the translation of vital documents into Vietnamese. To encourage participation in the program, activities occurring in Tulsa County should consider some outreach in the Vietnamese language.

Upon request, ODOC and its subrecipients will translate vital documents into Chinese. The cost incurred by the State or its subrecipients to translate vital documents larger than 2 pages into Chinese is neither reasonable nor necessary. Therefore, ODOC and its subrecipients will utilize oral translation and interpretation services, provided through Language Associates, to assist LEP Chinese speakers. For the 2022 CDBG-DR program, no activities will require the translation of vital documents into Chinese. To encourage participation in the program, activities occurring in Tulsa County should consider some outreach in the Chinese language.

Any person requiring translation or interpretation of any documents for the 2022 CDBG-DR program can access those services upon request. ODOC has procured translation and interpretation services for a wide range of languages, to ensure equal participation of persons with limited English proficiency (LEP). For more details about vital documents and the level of language assistance that ODOC and its subrecipients provide to beneficiaries, please refer to the Language Access Plan. The Language Access Plan is currently available as part of ODOC's Citizen Participation Plan at this link: <https://www.okcommerce.gov/reporting-compliance/consolidated-plan/>.

### 1.8.2 Access for Persons with Disabilities

ODOC will publish documents in a form that is accessible to persons with disabilities, using Microsoft Word and Adobe Acrobat accessibility features, including alternative text with images, and tagged PDFs. In addition, ODOC offers accessibility services that can be found here: <https://www.okcommerce.gov/about-us/accessibility-statement/>. A link to this page is included



on the 2022 CDBG-DR website. ODOC will make information available in alternate formats as needed and upon request to ensure effective communication with all persons.

ODOC is committed to ensuring the accessibility of its electronic and information technologies for individuals with disabilities. ODOC is prepared to aid those citizens who have disabilities upon request. Upon request, ODOC will offer sign language interpretation, closed captioning for virtual meetings, and accessible documents that be read by screen readers. Requests for assistance can be made by contacting ODOC staff.

## 1.9 Website Maintenance

ODOC maintains a dedicated website for the 2022 CDBG-DR Program that permits the public to see how all grant funds are used and administered, access important policy guides and resources, and learn about engagement opportunities. The website is available at <https://www.okcommerce.gov/cdbg-disaster-recovery-2022/>. The 2022 CDBG-DR website is easily accessible from Commerce's main website (<https://okcommerce.gov>) by clicking on the link "CDBG Disaster Recovery 2022" at the bottom of the page.

### 1.9.1 Materials

ODOC will provide the following materials on the website:

- 2022 CDBG-DR Action Plan (and all future amendments)
- Performance Reports
- Citizen Participation Plan
- Procurement Policies and Procedures
- All executed contracts, as defined in 2 CFR 200.22, that will be paid with CDBG-DR funds (including subrecipients' contracts)
- HUD Contract Reporting Template, which includes a description and status update of services or goods currently being procured by ODOC or its subrecipients.
  - Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 300.67, are not required to be posted on ODOC's website.
- Internal Auditor Reports
- ODOC's Anti-Fraud, Waste, and Abuse Policy, which includes information for beneficiaries, contractors, subrecipients, ODOC staff, and others on reporting fraudulent activity.
- ODOC will make beneficiaries aware of the risks of contractor fraud and other potentially fraudulent activity that can occur in communities recovering from a disaster, by having a fraud, waste, and abuse section on the 2022 CDBG-DR website that includes the following language and documentation:
  - "Please note, accessing CDBG-DR assistance is completely free. Report anyone attempting to collect fees for disaster recovery assistance or any other fraud, waste, or abuse to [DisasterRecovery@okcommerce.gov](mailto:DisasterRecovery@okcommerce.gov). The CDBG-DR program is a federal grant, and there is no fee or cost for municipalities or residents to apply.



- El programa CDBG-DR (un programa de subvención federal) es gratuito para municipios y residentes. No hay ninguno costo para solicitar o recibir asistencia. Por favor, manda un correo electrónico a DisasterRecovery@okcommerce.gov para informarnos si alguien está cobrando dinero por el programa o si usted cree que se ha encontrado fraude, malversación o abuso.”
- After a disaster, scam artists, identity thieves, and other criminals often attempt to take advantage of disaster survivors: watch for and report any suspicious activity.
- FEMA Disaster Fraud Resources - <https://www.fema.gov/about/offices/security/disaster-fraud>
- HUD OIG Hotline - <https://www.hudoig.gov/hotline>
- Avoiding Post-Disaster Scams and Fraud - <https://files.hudexchange.info/resources/documents/OHC-DR-Toolkit-Avoiding-Post-Disaster-Scams-and-Fraud.pdf>
- Oklahoma Attorney General Consumer Protection - <https://www.oag.ok.gov/consumer-protection>
- Oklahoma Attorney General Disaster Fraud Prevention - [https://www.oag.ok.gov/sites/g/files/gmc766/f/documents/2023/2023\\_disaster\\_scam\\_prevention\\_packet.pdf](https://www.oag.ok.gov/sites/g/files/gmc766/f/documents/2023/2023_disaster_scam_prevention_packet.pdf)
- ODOC will add information to the website advising impacted households to keep all relevant documentation.
- Information on where applicants can apply and check the status of their application, as applicable.
- Information on public hearings, surveys, and other opportunities for engagement
- Information on how to contact an interpreter or access other accommodations, as needed.

Paper copies of the 2022 CDBG-DR Action Plan and any future amendments will be available upon request.

### **1.9.2 Access**

ODOC will translate vital documents as determined by ODOC’s Language Access Plan. Any person requiring translation or interpretation of any documents for the 2022 CDBG-DR program can access those services upon request. ODOC has procured translation and interpretation services for a wide range of languages, to ensure equal participation of persons with limited English proficiency (LEP). The Language Access Plan is currently available as part of ODOC’s Citizen Participation Plan at this link: <https://www.okcommerce.gov/reporting-compliance/consolidated-plan/>.

ODOC will publish documents in a form that is accessible to persons with disabilities, using Microsoft Word and Adobe Acrobat accessibility features, including alternative text with images, and tagged PDFs. In addition, ODOC offers accessibility services that can be found here: <https://www.okcommerce.gov/about-us/accessibility-statement/>. A link to this page is included

on the 2022 CDBG-DR website. ODOC will make information available in alternate formats as needed and upon request to ensure effective communication with all persons.

ODOC provides the public with several methods of contact, all of which are described on the website:

- Call 405-815-6552 (toll free 1-800-879-6552).
- Send mail to 900 N. Stiles Ave. Oklahoma City, OK 73104.
- Submit questions, comments, complaints, or check the status of their application by filling out a "Contact Us" form at the bottom of the website.
- Send an email to [disasterrecovery@okcommerce.gov](mailto:disasterrecovery@okcommerce.gov) to submit questions, comments, or complaints, check the status of their application, or report fraud, waste, and abuse.
- Join the CDBG-DR electronic mailing list.
- Visit ODOC's social media pages, including LinkedIn, Facebook, X, and YouTube

### **1.9.3 Updates**

CDBG-DR staff submit web edit requests to the Marketing Department. These requests are fulfilled in 3-7 days. Every month, CDBG-DR staff review the 2022 CDBG-DR website and ensure that all required documents are published and up to date.

## **1.10 Application Status**

ODOC will provide multiple methods of communication, such as websites, toll-free numbers, TTY and relay services, email address, fax number, or other means to provide applicants for recovery assistance with timely information to determine the status of their application. This requirement applies to programs with individual beneficiaries, such as a Housing Rehabilitation program. Organizations applying for grants from ODOC as subrecipients can view the status of their application in OKGrants.

## **1.11 Citizen Complaints**

ODOC will provide a timely written response to every citizen complaint. ODOC's response must be provided within fifteen working days of the receipt of the complaint, or ODOC must document why additional time for the response was required. Complaints regarding fraud, waste, or abuse of government funds should be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: [hotline@hudoig.gov](mailto:hotline@hudoig.gov)).

## **1.12 Amendments**

Over time, recovery needs will change. Thus, the State of Oklahoma will amend the disaster recovery action plan as needed to best address long-term recovery needs and goals. This plan describes proposed programs and activities. As programs and activities develop over time an amendment may not be triggered if the program or activity is consistent with the descriptions provided in this plan. When unmet needs and program descriptions or other sections rise to the level of requiring an Action Plan amendment, ODOC will do the following:

- Ensure that the current version of the Action Plan is accessible for viewing as a single document, with all amendments, so that the public and HUD do not have to view and cross-reference changes among multiple amendments.
- Identify amendments by highlighting added or changed text and striking out deleted text.
- Include a table that clearly illustrates where funds are coming from and where they are going.
- Include a revised budget allocation table that reflects the entirety of all funds, if applicable to the amendment.

### **1.12.1 Substantial Amendment**

A change to the action plan is a substantial amendment if it meets one or more of the following criteria:

- A change in program benefit or eligibility criteria,
- The addition or deletion of an activity, or
- The allocation or reallocation of \$1,480,000.00

When the State of Oklahoma pursues the substantial amendment process, the amendment will be posted on the State's Disaster Recovery website (<https://www.okcommerce.gov/cdbg-disaster-recovery-2022>) for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. ODOC will review and respond to all public comments received and submit to HUD for approval.

ODOC will provide residents, affected local governments, and other interested parties with a reasonable opportunity to review the plan or substantial amendment.

ODOC will identify and consider potential barriers that limit or prohibit equitable participation and will undertake reasonable measures to increase coordination, communication, affirmative marketing, targeted outreach, and engagement with underserved communities and individuals, including persons with disabilities and LEP persons. This includes translating the Action Plan according to the ODOC Language Access Plan and posting the Action Plan amendment in a way that meets all accessibility requirements.

The State of Oklahoma will review and respond to all public comments received, written or verbal. Any updates or changes made to the action plan in response to public comments shall be clearly identified in the Action Plan. The public comments will be submitted to HUD with the Action Plan Amendment.

The State of Oklahoma will submit the Action Plan to HUD for approval and await receipt of approval before implementing the proposed change.

### **1.12.2 Non-Substantial Amendment**

A non-substantial amendment is an amendment to the plan that includes technical corrections, clarifications, and budget changes that do not meet the monetary threshold for substantial amendments to the plan and do not require posting for public comment. The State of Oklahoma will notify HUD five (5) business days before the change is effective.

All amendments will be numbered sequentially and posted to the website into one final, consolidated plan.

## 2 Subrecipient Requirements

Each local government receiving assistance from ODOC must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements). ODOC's subrecipients who are units of general local government (UGLGs) must adhere to the following requirements for citizen participation:

- The subrecipient is required to adopt a citizen participation plan that sets forth the subrecipient's policies and procedures for citizen participation.<sup>1</sup> Please see the attached Sample Citizen Participation Plan for subrecipients.
- The subrecipient will hold a public hearing prior to submitting a 2022 CDBG-DR Application to ODOC. The public hearing shall be scheduled at times and locations most likely to make it possible for the majority of interested persons to attend without undue inconvenience. The purpose of this public hearing is to advise citizens of the proposed project activities.
- The subrecipient will hold a final public hearing at grant closeout.
- Notification of all hearings shall be provided a minimum of fourteen (14) calendar days, not to include the actual day of the Public Hearing, in advance to allow citizens the opportunity to schedule their attendance. Notifications can be made in the form of notices placed in the local newspaper with the greatest distribution or may be conducted by posting notices where most practical for public viewing. If notifications are posted, they must be posted in a minimum of three (3) public places. Additionally, notices may be posted via the Internet by the participating Unit of General Local Government or other subrecipient provided the website is available for public access. All hearings must be accessible to handicapped persons. Provisions for interpretation shall be made at all public hearings for non-English speaking residents if such residents are expected to be in attendance.
- Subrecipients will follow the recordkeeping procedures described in the 2022 CDBG-DR Policies and Procedures manual, which is available on the State's disaster recovery website.
- Subrecipients must follow the translation and interpretation requirements described in the Language Access Plan. The Language Access Plan is currently available as part of ODOC's Citizen Participation Plan at this link: <https://www.okcommerce.gov/reporting-compliance/consolidated-plan/>.
- Subrecipients will provide multiple methods for applicants to check the status of their application.

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<sup>1</sup> 24 CFR 91.105(a)(1)